

WEST VALLEY CITY, UTAH

ORDINANCE NO. 09-05

Draft Date: 01/21/2009
Date Adopted: 02/17/2009
Date Effective: 02/26/2009

**AN ORDINANCE AMENDING SECTION 11-5-102 OF TITLE 11
OF THE WEST VALLEY CITY MUNICIPAL CODE
REGARDING TEMPORARY ON-PREMISE SIGNS.**

WHEREAS, Title 11 of the West Valley City Municipal Code regulates signage in the City; and

WHEREAS, staff recommends a text change that will allow for an additional banner for businesses that may be impacted by road widening projects; and

WHEREAS, the City Council of West Valley City, Utah, hereby determines that it is in the best interest of the citizens of West Valley City to amend Section 11-5-102 of Title 11 of the West Valley Municipal Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of West Valley City, Utah, as follows:

11-5-102. TEMPORARY ON-PREMISE SIGNS.

Temporary signs shall conform to the following provisions. Illumination is prohibited for temporary signs unless specified otherwise. Businesses shall be permitted one temporary sign unless specified otherwise below. A building façade shall have a maximum of 30% temporary sign coverage at any time. ~~Temporary signs shall require a permit in the form of a sticker issued by the Planning and Zoning Department, Business Licensing, or Code Enforcement.~~ Business owners shall be responsible for meeting all sign standards of this chapter.

- (1) Additional Business Sign for Road Widening Construction
 - (a) Zoning Restrictions. Applicable in all zones.
 - (b) Size. Any such sign shall not exceed an area of 50 square feet.
 - (c) Setback. Such signs may be permitted on private property but shall not obstruct any pedestrian sidewalks, vehicular drives or clear-view at intersections.
 - (d) Time Limitations. Any such sign shall be temporary in nature and shall be permitted only during a City, Utah Department of Transportation, or Utah Transit Authority managed road widening or transit project. Signs shall be removed once the construction has ceased or there is sufficient work done to install a permanent sign, whichever is earlier.
 - (e) Number. One temporary sign may be used in addition to any other permitted temporary sign.
 - (f) Other Regulations. Temporary signs listed as prohibited in this chapter shall not be permitted for Road Widening Construction Signs. Banners shall be the only type of temporary sign allowed for this use.



~~(1)~~(2) Banner Sign – Used to advertise for a business and does not act as the primary business sign.

- (a) **Zoning Restrictions.** B/RP, C-1, C-2, C-3, M, MXD, RB, RM.
- (b) **Setback.** Banners shall not be placed within 20 feet of the front property line, and should be located on the outside building face. Banners shall not be located on fences.
- (c) **Size.** The maximum size shall be 50 square feet of temporary sign area. Tenant spaces larger than one hundred fifty (150) linear feet may use a maximum of 10% of the front building facade.

~~(2)~~(3) Banner Sign - Used to promote a business name as the primary business wall sign.

- (a) **Zoning Restrictions.** B/RP, C-1, C-2, C-3, M, MXD, RB, RM.
- (b) **Setback.** Where a new business is in need of temporary signage, a banner sign may be placed on the building and shall act as the primary business sign(s). Shall be located on the front elevation of the place of business.
- (c) **Size.** This temporary sign shall be limited to the wall sign sizes as permitted in the applicable zone.
- (d) **Time Limitation.** This sign may be used for a maximum of 90 days after the business has obtained a business license, or until a permanent sign is mounted on the building, whichever is less.



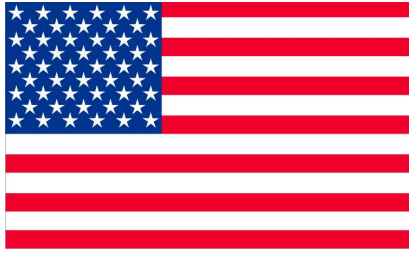
~~(3)~~(4) Construction Project Signs.

- (a) **Zoning Restrictions.** Commercial and Manufacturing Zones.
- (b) **Size.** Not exceeding 96 square feet
- (c) **Lighting.** Signs may utilize external lighting, but may not be internally lighted.
- (d) **Time Limitation.** All signs shall be removed within 30 days after final inspection of the last building in the project.
- (e) **Setback.** All such signs shall be setback at least 10 feet from any public or private right-of-way.
- (f) **Height.** Freestanding signs shall not exceed 12 feet in height.
- (g) **Number.** One on-site sign per street frontage may be erected in conjunction with a construction project. Through the conditional use process, the Planning Commission may approve more than one on-site sign in the City Center Zone, on properties adjacent to a freeway, or on properties that are five acres or larger.
- (h) **Materials.** Shall not be built with paper materials, and shall be constructed in a professional manner.



(4) (5) New Development Signs used for any new development in any zone

- (a) **Zoning Restrictions.** In all zones.
- (b) **Size.** A maximum area of 32 square feet
- (c) **Time Limitations.** Signs shall be removed no later than 30 days following the completion of the project.
- (d) **Setback.** Signs shall be set back 10 feet from the right-of-way of any public street. In addition, a minimum spacing of 50 feet shall be maintained between such signs.
- (e) **Number.** A maximum of two development signs may be placed off-site and shall require a letter of consent from the property owner.
- (f) **Materials.** Shall not be built with paper materials, and shall be instructed in a professional manner.



~~(5)~~(6) Flags that are used in allegiance to local, state, or federal government

- (a) **Zoning Restrictions.** In all Zones.
- (b) **Setback.** Shall not be located within 20 feet of the front property line and shall be maintained in accordance with the United States “Flag Code” regulations. Flags may be located in the park strip and/or the front yard setbacks area on National or State Holidays except during inclement weather or at night.
- (c) **Number.** Maximum 3 flags per business or dwelling unit and shall be in accordance with United States “Flag Code”. There shall be no limitation in the number of flags permitted on National or State Holidays.
- (d) **Advertisement.** The US flag shall not be used for advertising purposes in any manner whatsoever. Advertising signs shall not be fastened to a staff or halyard from which the flag is flown. As per United States “Flag Code” Section 36.10.176.
- (e) **Other.** Flags shall be displayed in accordance with the United States “Flag Code” Section 36.10.176.

~~(6)~~(7) Grand-Opening Signs

- (a) **Zoning Restrictions.** In all Zones.
- (b) **Setback.** Shall be located on the subject property. Shall not be located in the traffic clear-view area. Shall not block or be located on any public or private sidewalk unless located in the City Center Zone and adheres to the regulations of the City Center Zone.
- (c) **Type of Signs.** Businesses may use any type of temporary sign during this period.
- (d) **Time Limit.** Shall be displayed for a maximum of thirty (30) days from the issuance date of a business license.
- (e) **Other.** The renewal of a business license, change of ownership, or change of name alone shall not authorize the use of grand-opening signs. Grand-opening signs shall be allowed for any new business who obtains a new business license. A facility renovation requiring a building permit will qualify for grand-opening signs.

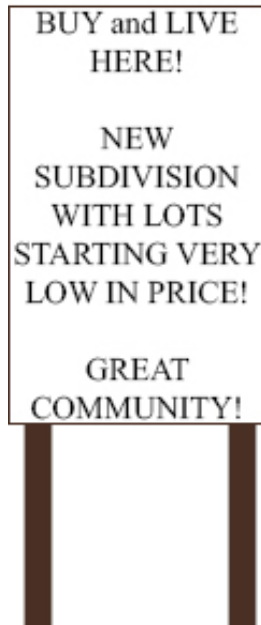


~~(7)~~ **(8)** Inflatable Signs

- (a) **Zoning Restrictions.** General Commercial (C-2), Transitional Commercial (C-3), and Manufacturing (M) zones.
- (b) **Setback.** Shall not be located within 20 feet of the front property line.
- (c) **Time Limit.** Inflatable signs may be displayed for a maximum of thirty (30) days per calendar year. Each display shall continue for a minimum of five (5) days.
- (d) **Height.** The height of an inflatable sign shall not exceed the height of any adjacent raised utility lines
- (e) **Permit.** A permit shall be required for inflatable signs.
- (f) **Other.** Inflatable signs shall be secured and in direct contact with the ground.



- ~~(8)~~ **(9)** Merchandise Display
- (a) **Zoning Restrictions.** General Commercial (C-2), Transitional Commercial (C-3), and Manufacturing (M) zones.
 - (b) **Setback.** Shall not be located within 20 feet of the front property line. Shall leave a minimum of four (4) feet wide unobstructed private and public right-of-way sidewalk area for pedestrian movement. Shall not be located in any parking space.
 - (c) **Inclusions.** Merchandise shall include any product or good that is proposed for sale or lease; and shall include any product or good that is exhibited for the purposes of advertisement.
 - (d) **Exception.** Display of merchandise within the required setbacks or in the public right-of-way is prohibited unless reviewed and approved by the West Valley City Planning Commission through Conditional Use Approval. Merchandise display in the City Center Zone may be permitted within 20 feet of the front property line and shall meet the regulations of the City Center Zone ordinance.



~~(9)~~(10) New Subdivision and Home Sales Signs

- (a) **Zoning Restrictions.** In all zones.
- (b) **Size.** For subdivisions which include five or more lots, major promotional signs, not exceeding one 64 square foot sign for each builder, may be used. The total area of all such signs shall not exceed 128 square feet. Individual phases of a subdivision shall not be considered separate subdivisions. No single sign shall exceed 64 square feet. Subdivisions which include five or more lots may attach one wall sign to one model home for each builder in the subdivision. This sign shall not exceed 32 square feet in area. One stationary open house sign may be used for each model home. Such signs may state the name of the builder, purchase terms, and/or the hours when the model will be open, among other things. This sign shall not exceed 16 square feet in area.
- (c) **Setback.** All subdivision signs shall be set back a minimum of five feet from any public or private right -of-way.
- (d) **Height.** No freestanding sign shall exceed 12 feet in height.
- (e) **Time Limitations.** All signs shall be removed within 30 days after final inspection of the last home in the subdivision.
- (f) **Other Regulations.** Mobile signs are prohibited. Signs may utilize external lighting but shall not be internally lighted.



- (11) Open House Signs
- (a) **Zoning Restrictions.** Open House signs advertising real estate open for inspection for a prospective sale may be placed on the subject property.
 - (b) **Setback.** On-Premise Open House signs shall be located a minimum of five (5) feet from the public right-of-way.
 - (c) **Size.** Such signs may state the name of the person or firm sponsoring the open house. Such signs shall not exceed eight square feet in area.
 - (d) **Off-Premise.** A maximum of four (4) off-premise open house signs shall be permitted per open house event. Such signs shall be displayed for a maximum of eight (8) hours in one day.
- (12) Other Temporary Signs
- (a) **Setback.** Temporary signs shall not be allowed within 20 feet of the front property line.
 - (b) **Other Regulations.** Non-business oriented banners whose sole intent is to promote festivals, holidays, seasons, or other community events are excluded from the provisions of this ordinance.



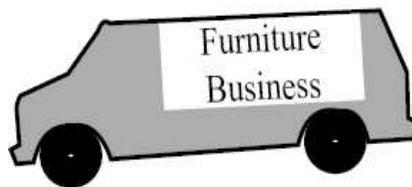
~~(12)~~(13) Political Signs. Political signs relating to the nomination or election of any individual for public office or advocacy of any issue to be voted upon at any special or general election shall be allowed under the following conditions:

- (a) **Zoning Restrictions.** In all zones.
- (b) **Size.** Any such sign shall not exceed an area of 16 square feet in a residential zone.
- (c) **Setback.** Such signs may be permitted in the public right-of-way but shall not obstruct any vehicular clear-view at intersections.
- (d) **Time Limitations.** Any such sign shall be temporary in nature and shall be removed within 15 days after the date of the election. If said signs are not removed, the City may remove said signs and charge a reasonable fee, as determined by the City Council, based on actual costs of removal for each sign requiring removal. The bill shall be sent to the appropriate candidate or political association responsible for such sign(s).
- (e) **Other Regulations.** Such signs shall conform to the surface on which they are applied and no nails or other heavy fastening tools are permitted.



~~(13)~~(14) Prohibited Temporary Signs

- (a) A-frame signs are prohibited except if located in and as regulated in the City Center Zone.
- (b) Any mobile sign located on the property or within a building or vehicle, trailer sign, metal stand, or pedestal-type sign is prohibited;
- (c) Off-premise temporary signs are prohibited except as defined in 11-102(5).
- (d) Feathers and flags used for advertising are prohibited.
- (e) Streamers or pennant-type streamers are prohibited.
- (f) Any temporary sign attached to any other sign, fence, light/power pole, or structure not built and intended for support of such sign. Signs, fences, light/power poles, and structures that are intended to support temporary or permanent signs shall be reviewed through a building permit and shall adhere to sign regulations in this title.
- (g) Exceptions. Any type of sign may be used during a Grand-Opening, as defined in this Chapter.

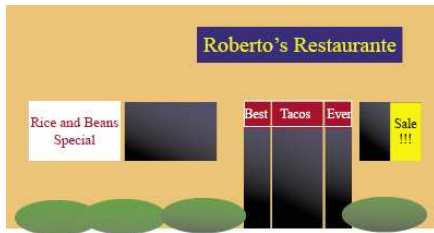


~~(14)~~(15) Sale, Rent, or Lease Signs

- (a) **Zoning Restrictions.** In all zoning districts, signs may be erected to advertise the sale, rent or lease of property upon which said signs are placed.
- (b) **Setback.** Signs shall be located on premise on the subject property.
- (c) **Size.** Signs shall not exceed an area of eight square feet in residential zones or 32 square feet in nonresidential zones.
- (d) **Number.** Said signs shall be limited to one sign per street frontage.

~~(15)~~(16) Vehicle Signs

- (a) **Zoning Restrictions.** In all commercial (C) and manufacturing zones.
- (b) **Setback.** Signs on vehicles or in the back/bed of trucks shall be located a minimum of 40 feet from the street.
- (c) **Size.** Applies to commercial vehicles with signs larger than four square feet.
- (d) **Other Regulations.** Such vehicles shall not be used as parked or stationary outdoor display signs.



~~(16)~~(17) Window Signs

- (a) **Zoning Restrictions.** All non-residential zones.
- (b) **Size.** A maximum of 50% coverage of all windows shall be permitted for advertisement, including store hours, per business. Where paint or marker is used on the window, the area shall be measured by creating a square around the message and calculating that square footage in relation to the square footage of the window area. Where one window is completely covered in window signs, another window of equal or greater size shall be left free of any advertisement.
- (c) **Location.** Inside or outside of the business windows.
- (d) **Exceptions.** Windows used to meet the Commercial Design Standard Ordinance, as a design treatment, and are backed by a wall where pedestrians cannot by floor plan and building design see through the window into the business, may use murals, fogged glass, spandrel glass, and/or window treatments, but shall not utilize any additional signage or advertisements for the business in the window(s).

Section 1. Repealer. Any provision of the West Valley City Code found to be in conflict with this Ordinance is hereby repealed.

Section 2. Amendment. Title 11 of the West Valley City Municipal Code are hereby amended as follows:

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

PASSED and APPROVED this _____ day of _____, 2009.

WEST VALLEY CITY

MAYOR

ATTEST:

CITY RECORDER